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PTO/SB/01 (12-97)

Approved for use through 9/30/00. OMB 0651-0032

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Declaration Submitted with Initial Filing OR Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	164.1017.01
First Named Inventor	Majidi-Ahy, Reza et al
COMPLETE IF KNOWN	
Application Number	09 / 620826
Filing Date	July 21, 2000
Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Integrated Self-Optimizing, Multi-Parameter/Multi-Variable Point-to-Multipoint Communication System [II]

the specification of which

(Title of the Invention)

is attached hereto

OR

was filed on (MM/DD/YYYY) as United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
			<input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Customer Number → Registered practitioner(s) name/registration number listed below

Place Customer Number Bar Code Label here

Name	Registration Number	Name	Registration Number

Additional registered practitioner(s) named on supplemental practitioner information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: Customer Number or Bar Code Label OR Correspondence address below

Name	PATENT TRADEMARK OFFICE		
Address			
Address			
City	State	ZIP	
Country	Telephone	Fax	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:	<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name (first and middle if any)		Family Name or Surname					
Reza		Majidi-Ahy					
Inventor's Signature				Date	8-1-00		
Residence: City	Los Altos	State	CA	Country	USA	Citizenship	US
Post Office Address	1225 Eva Avenue						
Post Office Address							
City	Los Altos	State	CA	ZIP	94022	Country	USA

Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto



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PTO/SB/02A (3-97)

DECLARATION

ADDITIONAL INVENTOR(S) Supplemental Sheet

Page 1 of 1

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])		Family Name or Surname					
Joseph		Hakim					
Inventor's Signature							8-1-2000 Date
Residence: City	Sunnyvale	State	CA	Country	USA	Citizenship	Canada
Post Office Address	759 Lakebird Drive						
Post Office Address							
City	Sunnyvale	State	CA	ZIP	94089	Country	USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])		Family Name or Surname					
Subir		Varma					
Inventor's Signature							Date
Residence: City	San Jose	State	CA	Country	USA	Citizenship	US
Post Office Address	6886 Village Wood Way						
Post Office Address							
City	San Jose	State	CA	ZIP	95120	Country	USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])		Family Name or Surname					
Inventor's Signature							Date
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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DECLARATION		ADDITIONAL INVENTOR(S) Supplemental Sheet	
		Page <u>1</u> of <u>1</u>	

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])		Family Name or Surname					
Joseph		Hakim					
Inventor's Signature						Date	
Residence: City	Sunnyvale	State	CA	Country	USA	Citizenship	Canada
Post Office Address	759 Lakebird Drive						
Post Office Address							
City	Sunnyvale	State	CA	ZIP	94089	Country	USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])		Family Name or Surname					
Subir		Varma					
Inventor's Signature						Date	8/14/00
Residence: City	San Jose	State	CA	Country	USA	Citizenship	US
Post Office Address	6886 Village Wood Way						
Post Office Address							
City	San Jose	State	CA	ZIP	95120	Country	USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])		Family Name or Surname					
Inventor's Signature						Date	
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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PTO/SB/81 (11-96)

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**POWER OF ATTORNEY OR
AUTHORIZATION OF AGENT,
NOT ACCOMPANYING
APPLICATION**

Application Number	09/620,826
Filing Date	July 21, 2000
First Named Inventor	Reza MAJIDI-AHY
Group Art Unit	Not Assigned
Examiner Name	Not Assigned
Attorney Docket Number	164.1017.01

I hereby appoint:

Practitioners at Customer Number

22883

Place Customer
Number Bar Code
Label Here

OR

Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

The above-mentioned Customer Number.

OR

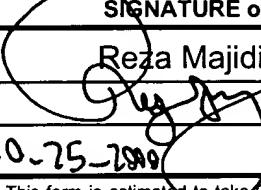
<input type="checkbox"/> Firm or Individual Name			
Address			
Address			
City	State	ZIP	
Country			
Telephone	Fax		

I am the:

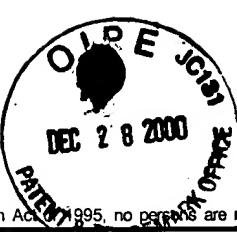
Applicant.

Assignee of record of the entire interest
Certificate under 37 CFR 3.73(b) is enclosed

SIGNATURE of Applicant or Assignee of Record

Name	Reza Majidi-Ahy, President and CEO	
Signature		
Date	10-25-2000	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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PTO/SB/10 (1-99)
PATENT TRADEMARK OFFICE Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

#3

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**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN**Docket Number (Optional)
164.1017.01

Reza Majidi-Ahy, et al

Applicant, Patentee, or Identifier: _____

Application or Patent No.: 09/620826

Filed or Issued: July 21, 2000

Title: Integrated, Self-Optimizing, Multi-Parameter/Multi-Variable Point-to-Multipoint Communication System[II]

I hereby state that I am

the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Aperto Networks, Inc. _____

ADDRESS OF SMALL BUSINESS CONCERN 1637 So. Main Street
Milpitas, CA 95035 _____

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

the specification filed herewith with title as listed above.
 the application identified above.
 the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:
 no such person, concern, or organization exists.
 each such person, concern, or organization is listed below.

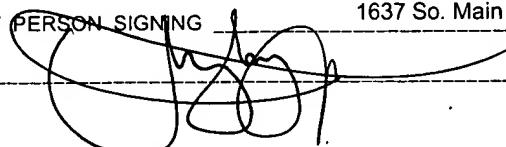
Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

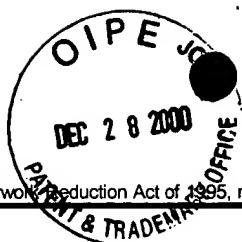
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Reza Majidi-Ahy _____

TITLE OF PERSON IF OTHER THAN OWNER CEO _____

ADDRESS OF PERSON SIGNING 1637 So. Main Street, Milpitas, CA 95035 _____

SIGNATURE  DATE 8-1-00



22883

PATENT TRADEMARK OFFICE

PTO/SB/96 (6-98)

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Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Reza MAJIDI-AHYApplication No./Patent No.: 09/620,826 Filed/Issue Date: July 21, 2000Entitled: Integrated Self-Optimizing, Multi-Parameter/Multi-Variable Point-to-Multipoint Communication System [II]Aperto Networks, Inc., a Corporation,

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

 Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached.

[NOTE] A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

10-25-2000

Date

Signature

Reza Majidi-Ahy

Typed or printed name

President and CEO

Title

COPY



22883

164.1017.01

PATENT TRADEMARK OFFICE

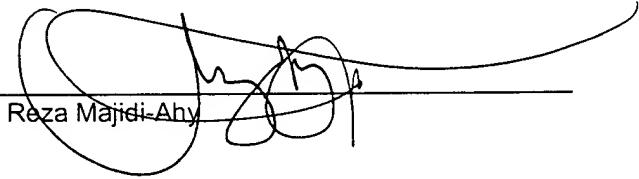
ASSIGNMENT

WHEREAS, we, Reza Majidi-Ahy, a citizen of United States, residing at 1225 Eva Avenue, Los Altos, California 94024, Joseph Hakim, a citizen of Canada, residing at 759 Lakebird Drive, Sunnyvale, California 94089, and Subir Varma, a citizen of United States, residing at 6886 Village Wood Way, San Jose, California 95120, have invented a "**Integrated Self-Optimizing, Multi-Parameter/Multi-Variable Point-to-Multipoint Communication System [II]**" for which we have executed application papers for a U.S. patent thereon, which was filed on July 21, 2000, Serial No. 09/620826; and

WHEREAS, Aperto Networks, Inc. a California corporation, having a place of business at 1637 South Main Street, Milpitas, California 95035 is desirous of acquiring the exclusive right, title and interest in and to said invention and in and to the Letters Patent to be granted and issued therefor in the United States of America and its territories and possessions, and in all countries foreign thereto;

NOW, THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, we, Reza Majidi-Ahy, Joseph Hakim, and Subir Varma, do sell, assign, transfer and set over unto the said Aperto Networks, Inc., its successors and assigns, the full and exclusive right, title and interest in and to said invention, and in and to any and all letters patent to be granted and issued therefor, not only for, to and in the United States of America, its territories and possessions, but also for, to and in all other countries including all priority rights under the International Convention; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said Aperto Networks, Inc., its successors and assigns, in accordance with this Assignment.

WITNESS OUR HAND at _____, this 1st day of
August, 2000.


Reza Majidi-Ahy


Joseph Hakim

Subir Varma

Assignment

COPY



22883

164.1017.01

PATENT TRADEMARK OFFICE

ASSIGNMENT

WHEREAS, we, Reza Majidi-Ahy, a citizen of United States, residing at 1225 Eva Avenue, Los Altos, California 94024, Joseph Hakim, a citizen of Canada, residing at 759 Lakebird Drive, Sunnyvale, California 94089, and Subir Varma, a citizen of United States, residing at 6886 Village Wood Way, San Jose, California 95120, have invented a "Integrated Self-Optimizing, Multi-Parameter/Multi-Variable Point-to-Multipoint Communication System [II]" for which we have executed application papers for a U.S. patent thereon, which was filed on July 21, 2000, Serial No. 09/620826; and

WHEREAS, Aperto Networks, Inc. a California corporation, having a place of business at 1637 South Main Street, Milpitas, California 95035 is desirous of acquiring the exclusive right, title and interest in and to said invention and in and to the Letters Patent to be granted and issued therefor in the United States of America and its territories and possessions, and in all countries foreign thereto;

NOW, THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, we, Reza Majidi-Ahy, Joseph Hakim, and Subir Varma, do sell, assign, transfer and set over unto the said Aperto Networks, Inc., its successors and assigns, the full and exclusive right, title and interest in and to said invention, and in and to any and all letters patent to be granted and issued therefor, not only for, to and in the United States of America, its territories and possessions, but also for, to and in all other countries including all priority rights under the International Convention; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said Aperto Networks, Inc., its successors and assigns, in accordance with this Assignment.

WITNESS OUR HAND at _____, this 9th day of
August, 2000.

Reza Majidi-Ahy



Joseph Hakim

Subir Varma

COPY



22883

164.1017.01

PATENT TRADEMARK OFFICE
ASSIGNMENT

WHEREAS, we, Reza Majidi-Ahy, a citizen of United States, residing at 1225 Eva Avenue, Los Altos, California 94024, Joseph Hakim, a citizen of Canada, residing at 759 Lakebird Drive, Sunnyvale, California 94089, and Subir Varma, a citizen of United States, residing at 6886 Village Wood Way, San Jose, California 95120, have invented a "Integrated Self-Optimizing, Multi-Parameter/Multi-Variable Point-to-Multipoint Communication System [II]" for which we have executed application papers for a U.S. patent thereon, which was filed on July 21, 2000, Serial No. 09/620826; and

WHEREAS, Aperto Networks, Inc. a California corporation, having a place of business at 1637 South Main Street, Milpitas, California 95035 is desirous of acquiring the exclusive right, title and interest in and to said invention and in and to the Letters Patent to be granted and issued therefor in the United States of America and its territories and possessions, and in all countries foreign thereto;

NOW, THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, we, Reza Majidi-Ahy, Joseph Hakim, and Subir Varma, do sell, assign, transfer and set over unto the said Aperto Networks, Inc., its successors and assigns, the full and exclusive right, title and interest in and to said invention, and in and to any and all letters patent to be granted and issued therefor, not only for, to and in the United States of America, its territories and possessions, but also for, to and in all other countries including all priority rights under the International Convention; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said Aperto Networks, Inc., its successors and assigns, in accordance with this Assignment.

WITNESS OUR HAND at _____, this 14 day of
August, 2000.

Reza Majidi-Ahy

Joseph Hakim

Subir Varma

Assignment